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From: Brooke W. Quist **Date:** December 1, 2004
Direct Dial: (310) 712-8319 **Client/Matter #:** 10407/640

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Certificate of Transmission under 37 CFR 1.8;
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Request for Withdrawal of Finality and Response to Office Action

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PAGE 1/29 * RCVD AT 12/1/2004 6:58:05 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/1 * DNIS:8729306 * CSID:3107128383 * DURATION (mm:ss):10:14

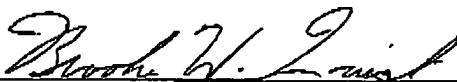
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TRANSMITTAL
FORM

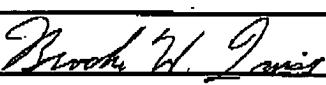
(to be used for all correspondence after initial filing)	
Total Number of Pages in This Submission	Attorney Docket Number

Application Number	09/904,061
Filing Date	July 12, 2001
First Named Inventor	Lawrence C. Cole
Art Unit	3714
Examiner Name	Corbett B. Coburn

ENCLOSURES (check all that apply)

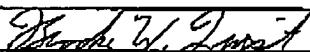
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Fax Transmission
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Brown Reisman Millstein Felder & Steiner LLP		
Signature			
Printed Name	Brooke W. Quist		
Date	12/01/2004	Reg. No.	45,030

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Date	12/01/2004

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PATENT
ATTORNEY DOCKET NO. 10407/640

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cole et al.
Serial No.: 09/904,061 Examiner: Corbett B. Coburn
Filed: July 12, 2001 Group Art Unit: 3714
Title: METHOD AND APPARATUS FOR ALLOWING
UNINTERRUPTED GAMING

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL OF FINALITY AND RESPONSE TO OFFICE ACTION

Sir:

This amendment is responsive to the first and final Office Action of September 8, 2004, and is timely filed.

INTRODUCTORY COMMENTS

Claims 1-47 are pending in the present application. Claims 11-19, 22-25, 27-33, 35-44, and 47 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Acres (U.S. Patent No. 6,312,333). Claims 1, 2, and 4-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bell et al. (U.S. Patent No. 5,505,461) in view of Acres (U.S. Patent No. 6,312,333). Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Bell et al., and further in view of Bergeron et al. (U.S. Patent No. 4,882,473) and Pease et al. (U.S. Patent No. 5,326,104). Claims 20, 21, 26, 34, 45, and 46 stand rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Acres (U.S. Patent No. 6,312,333), and further in view of Bergeron et al. (U.S. Patent No. 4,882,473) and Pease et al. (U.S. Patent No. 5,326,104).

Claims 1, 11, 23, 24, 29, and 36 have been amended. No new claims have been added. Claims 48-50 were previously deleted. Applicant respectfully requests reconsideration of the rejected specification and claims. Applicant respectfully contends that the differences between

Atty Docket No.: 10407/640
Serial No. 09/904,061

the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art.

Additionally, the Examiner has issued a final first-action Office Action in reply to the Applicants filing of a Request for Continued Examination, stating that no new search was required in support of the final Office Action. However, Applicants filed the Request for Continued Examination in response to the Examiner's statements in the Telephonic Interview summary of May 27, 2003, which stated that a new search would be required in order to procure examination of the amended claims that were submitted. As such, Applicants submit that a final first-action, Office Action is not proper in this situation and request withdrawal of the final action, Office Action.